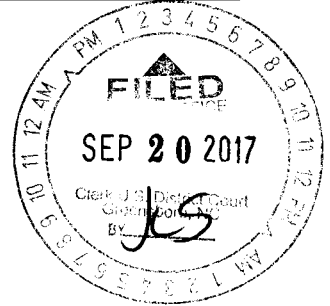


UNITED STATES DISTRICT COURT

for the
Middle District of North Carolina



In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Information associated with "breck1963@gmail.com"
stored at premises operated by Google, Inc.

)
)
) Case No. 1:17MJ101
)
)
)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Northern District of California
(identify the person or describe the property to be searched and give its location):
Information associated with the captioned email account stored at premises owned, maintained, controlled or operated by Google, Inc., as further described in Attachment A

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):
Fruits, evidence and instrumentalities of violations of 7 U.S.C. 2156 and 18 U.S.C. 371, as further described in Attachment B

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before May 12, 2017
(not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m. ☒ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge JOI ELIZABETH PEAKE
(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for _____ days (not to exceed 30).
☐ until, the facts justifying, the later specific date of _____.

Date and time issued: 4/21/2017 2:18pm

Judge's signature

City and state: Winston-Salem, North Carolina

United States Magistrate Joi Elizabeth Peake
Printed name and title

Return

Case No.: 1:17MJ101	Date and time warrant executed: 5/1/17 10:26 AM EDT	Copy of warrant and inventory left with: ELECTRONICALLY SEALED ON GOOGLE, INC. AT "USLAWENFORCEMENT@GOOGLE.COM"
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Inventory made in the presence of:


Inventory of the property taken and name of any person(s) seized:

**DIGITAL RESULTS FOR "breck1963@gmail.com" PROVIDED BY
GOOGLE, INC.**

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date:

5/1/17 

Executing officer's signature

KEVIN WRIGHT SPECIAL AGENT

Printed name and title

ATTACHMENT A

A. Property to be Searched

This warrant applies to information associated with “breck1963@gmail.com” stored at premises owned, maintained, controlled, or operated by Google, Inc. (“Google”), an email provider located at 1600 Amphitheatre Parkway, Mountain View, California.

B. Description of Files to be Copied by Google

1. All electronic mail and electronic files stored and presently contained in, or on behalf of, the email address/account “breck1963@gmail.com” from October 1, 2015 through April 28, 2017; and
2. All records pertaining to this address/account from October 1, 2015 through April 28, 2017 in the form of the following:
 - a. Any and all transactional information, to include log files, of all activity to the above-listed individual, which includes dates, time, method of connecting, port, dial-up, and/or location.
 - b. All business records and subscriber information, in any form kept, which pertain to the above-listed subscriber and account, including but not limited to applications, subscriber’s full name, all screen names associated with this subscriber, method of payment, phone numbers, addresses, and detailed-billing records.
 - c. All records indicating the services available to the subscriber of the electronic mail address.
 - d. All “Gmail” messenger conversations stored and presently contained in, or on behalf of, the subject email account.
 - e. All files stored and presently contained in, or on behalf of, “Google Drive,” “Google Images,” or “Google Calendar” accounts associated with the subject email account.

C. Search Procedure

In order to ensure that agents search only that computer account and/or computer files described above, this search warrant seeks authorization to permit employees of Google to assist agents in the execution of this warrant. To further ensure that agents executing this warrant search only that account and/or computer files described, the following procedures have been implemented:

1. The warrant will be presented to Google personnel by law enforcement agents. Google personnel will be directed to isolate the account and files described above;
2. In order to minimize any disruption of computer service to innocent third parties, the system administrator will create an exact duplicate of the account and files described in Section B;
3. The Google system administrator will provide the exact duplicate of the account and files described in Section B and all information stored in the account and/or files to the Special Agent who serves this search warrant;
4. Law enforcement personnel will thereafter review the information stored in the account and files received from the system administrator and then identify and copy the information contained in that account and files which are authorized to be further copied by this search warrant; and
5. Law enforcement personnel will then seal the original duplicate of the accounts and files received from the system administrator and will not further review the original duplicate absent an order of the Court.

ATTACHMENT B

Information To Be Seized By The Government

All information described in Attachment A that constitutes fruits, evidence, and instrumentalities of violations of 7 U.S.C. § 2156 (animal fighting) and 18 U.S.C. § 371 (conspiracy), from October 1, 2015 to April 28, 2017, in the form of the following:

- a. All electronic mail, any internet conversations, any files, any images, and any calendar entries to, from, or associated with the email address “breck1963@gmail.com” relating to breeding dogs for fighting purposes; assessing dogs for “gameness” or aggressiveness; training dogs for dog fighting purposes; purchasing or selling dogs and/or supplies related to dog fighting; traveling to attend a dog fight, or to purchase and/or breed dogs for dog fighting purposes; attempts to “hook” a dog fight (i.e., set up a fight between two dogs of the same sex and weight); publications or other writings discussing, depicting or promoting dog fighting; documenting or depicting a dog fight; documenting or depicting injured or dead pit bull-type dogs; concealing evidence of a dog fight; and/or the payment or receipt or concealment of illicit proceeds from breeding, selling, purchasing, training and/or fighting dogs;
- b. All records relating to who created, used, or communicated with the account or identifiers, including records about their identities and whereabouts, for all communications, documents, images or files described in Section a *infra*; and
- c. All existing printouts from original storage of all of the electronic mail described above.

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC
BUSINESS RECORDS PURSUANT TO FEDERAL RULE
OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by Google, Inc. ("Google"), and my official title is _____. I am a custodian of records for Google. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of Google, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of Google; and

c. such records were made by Google, as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Federal Rules of Evidence.

Date

Signature